

REMARKS

Claims 3 and 5 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Claims 1 to 8 were rejected under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regards as the invention.

Reconsideration of the application based on the following is respectfully requested

Rejections under 35 U.S.C. §112, first paragraph

Claims 3 and 5 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement.

With respect to claim 3, the Office Action admits that the specification discloses using a storage-type catalytic converter to produce nitrous gases. By definition this is a method for operating a catalytic converter and the claim language is fully supported.

With respect to claim 5, the Office Action admits that the specification teaches using fuel in a cold-start phase of an engine. See also [0011]. The fuel is also conditioned using the nitrous gases. A cold-start phase is when an engine is started. The specification clearly teaches a method for conditioning fuel and [cold] starting an engine using this fuel. It is respectfully submitted that the claim language is supported and accurate.

Withdrawal of the rejections under 35 U.S.C. §112, first paragraph is respectfully requested.

Rejections under 35 U.S.C. §112, second paragraph

Claims 1 to 8 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The specification very clearly identified the nitro compounds as CNO₂ compounds, and thus with the carbon the compounds clearly are organic. (Even though it is unclear why the applicant is required to even specify if they are organic or not).

Applicant cannot understand the rejection. Nitro compounds are compounds having the nitro group –NO₂, and in the absence of further clarification are generally regarded as –CNO₂

compounds (See IUPAC Compendium of Chemical Terminology, attached hereto). Moreover, in the present specification throughout the applicant has made thoroughly clear that the nitro compounds of the present invention are -CNO₂ compounds. It is respectfully submitted that there is no unclarity or confusion to one of skill in the art what the nitro compounds of the present invention are: they are organic -CNO₂ compounds.

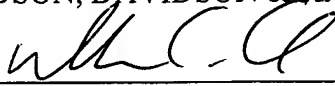
Withdrawal of the specification objection and rejection under 35 U.S.C. §112 is respectfully requested.

CONCLUSION

The present application is respectfully submitted as being in condition for allowance and applicants respectfully request such action.

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

By: 
William C. Gehris
Reg. No. 38,156

DAVIDSON, DAVIDSON & KAPPEL, LLC
Patents, Trademarks and Copyrights
485 Seventh Avenue, 14th Floor
New York, New York 10018
(212) 736-1940

**nitro compounds**

Compounds having the nitro group, $-\text{NO}_2$ (free valence on nitrogen), which may be attached to carbon, nitrogen (as in *nitramines*), or oxygen (as in nitrates), among other elements (in the absence of specification, C-nitro compounds are usually implied).

See also *dipolar compounds*.

1995, 67, 1351